

U.S. Department of Justice  
United States Marshals Service

## PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF

FILED

DEFENDANT

CLERKS OFFICE

COURT CASE NUMBER

04-10451-RWZ

SERVE

TYPE OF PROCESS

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
Michael T. Malone U.S. DISTRICT COURT

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) DISTRICT OF MASS

AT

50 Maple Street Ste 3 Milford MA 01757-3698

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Fayle P. Solomont, Jr. 5038  
200 W. Main Street  
Milford, MA 01757-3698

Number of process to be served with this Form - 25

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Service on 25th Street  
5pm - 7pm

Fold

Signature of Attorney or other Originator requesting service on behalf of:

 PLAINTIFF  
 DEFENDANT

TELEPHONE NUMBER

DATE

10-6-04

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.

(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin

District to Serve

Signature of Authorized USMS Deputy or Clerk

Date

1

No. 38

No. 38

10/14/04

I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

 A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service 10/15/04 Time 1:15 am

Signature of U.S. Marshal or Deputy

Amount of Refund

Service Fee

Total Mileage Charges  
(including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

## REMARKS:

(1) 10/17/04 - 1:15 pm - Indv. no longer works at above address. Unknown where subject currently works

TIONS

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/80)

## United States District Court

DISTRICT OF

Joseph P. Schmitt, pro se,  
plaintiff,  
v.

**SUMMONS IN A CIVIL CASE**

CASE NUMBER:

Jeffrey Smith, et al.,  
defendants.

TO: (Name and address of defendant)

Michael T. Maloney  
Mass. Dept. of Corrections  
50 Maple Street, Suite 3  
Milford MA 01752-3698

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Joseph P. Schmitt, M-8137  
Ma. Treatment Center  
30 Administration Road  
Bridgewater, MA 02324-3230

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(BY) DEPUTY CLERK

10/1/04  
DATE

